

REMARKS

I. Summary of the Office Action

Claims 1 and 3-46 are all of the claims pending in the application. Claims 1, 3-10, and 13-46 are withdrawn from consideration. Claims 11 and 12 are rejected under 35 U.S.C. § 103(a).

II. Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 11 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,280,266 to Chopra (hereinafter "Chopra") in view of U.S. Patent No. 6,846,668 to Garman (hereinafter "Garman"). Applicant respectfully traverses this rejection and respectfully requests the Examiner to reconsider this rejection at least in light of the comments which follow.

Chopra was filed on May 19, 2006, which is its earliest effective filing date. Both the foreign priority date and the U.S. filing date of the present application predate the earliest effective filing date of Chopra, and therefore Applicant respectfully submits that Chopra is not prior art with respect to the present application under any of the provisions of 35 U.S.C. § 102 and thus may not properly be used in a 35 U.S.C. § 103(a) rejection. Thus, the rejection of claims 11 and 12 under 35 U.S.C. § 103(a) over Chopra in view of Garman is improper, since Chopra does not qualify as prior art. Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 103(a) rejection of claims 11 and 12.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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